

## Message Text

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PAGE 01 ANKARA 04996 071302Z  
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-02 INR-10  
L-03 NSAE-00 NSC-05 PA-02 SP-02 SS-15 ACDA-12  
BIB-01 HA-05 /075 W  
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R 071155Z JUL 78  
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TO SECSTATE WASHDC 2536  
INFO AMEMBASSY BRUSSELS  
AMEMBASSY STOCKHOLM  
USMISSION USNATO  
AMCONSUL ADANA  
AMCONSUL ISTANBUL  
AMCONSUL IZMIR  
USINFO WASHDC

UNCLAS ANKARA 4996

USEEC

E.O. 11652: N/A  
TAGS: SHUM, CSCE, TU  
SUBJECT: COURT DECISION CITES HELSINKI FINAL ACT

1. ACCORDING TO PRESS ACCOUNTS JULY 6 AND 7, TWELFTH DEPARTMENT OF THE TURKISH DANISTAY (COUNCIL OF STATE -- EQUIVALENT TO AN AMERICAN COURT OF APPEALS BUT HANDLING ONLY QUESTIONS OF GOVERNMENT ADMINISTRATION) IN ISTANBUL HAS ISSUED A DECISION, BASED IN PART ON PROVISIONS OF THE HELSINKI FINAL ACT, THAT THE EXPULSION OF A SWEDISH TELEVISION TEAM FROM TURKEY IN 1977 WAS ILLEGAL. PRESS REPORTS THAT THIS IS THE FIRST INSTANCE IN WHICH HELSINKI FINAL ACT HAS BEEN INVOKED IN A TURKISH LEGAL DECISION.

2. SWEDISH TELEVISION TEAM ENTERED TURKEY ON JANUARY 10, 1977, AND AFTER RECEPTION FROM TURKISH DIRECTORATE GENERAL  
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FOR PRESS AND PUBLICATIONS, IT REPORTEDLY BEGAN FILMING. TEAM WAS EXPELLED FROM TURKEY ON JANUARY 28, 1977 AFTER ADMINISTRATIVE DECISION HANDED DOWN THAT IT WAS FILMING WITHOUT PROPER PERMISSION. ACCORDING TO PRESS, THE SWEDISH RADIO AND TELEVISION CORPORATION INITIATED A LAWSUIT FOR REVOCATION OF THE DECISION UPON DETERMINING THAT IT SEEMED TO CONFLICT WITH PROVISIONS OF THE 1975 HELSINKI AGREEMENTS.

3. IN REPORTING THE COURT DECISION, CUMHURIYET INCLUDES  
REMARKS ALLEGEDLY MADE TO THE DANISTAY BY THE PUBLIC  
PROSECUTOR: "... (THIS) EXPULSION... IS AGAINST THE LETTER  
AND SPIRIT OF THE LAWS, THE LOGIC OF THE LAWS, AND ESPECIALLY  
AGAINST ARTICLES 17, 18, 21, AND 22 OF THE CONSTITUTION  
WHICH GUARANTEE FREEDOM OF COMMUNICATION, TRAVEL, SCIENCE  
AND ARTS, AND PRESS AND BROADCASTING ON THE ONE HAND,  
AND ON THE OTHER HAND ARE IN VIOLATION OF INTERNATIONAL  
AGREEMENTS WHICH CARRY THE POWER OF NATIONAL LAW, FOR  
INSTANCE THE 1975 HELSINKI FINAL ACT CONCERNING HUMAN RIGHTS  
AND FREEDOMS..."

4. SWEDISH EMBOFF TOLD US THAT HIS EMBASSY HAS NOT  
YET RECEIVED COPY OF COURT DECISION, BUT IT IS PLEASED WITH  
OUTCOME OF CASE AS REPORTED IN THE PRESS.  
SPIERS

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NNN

## Message Attributes

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**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EXPULSION, PERSONNEL, COURT DECISIONS, TELEVISION BROADCASTING  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 07 jul 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
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**Enclosure:** n/a  
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**Review Markings:**  
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